



DFW /

In the United States Patent and Trademark Office

Serial No.: 10/800,083	§	Filing Date: 03/11/2004
	§	
Title: NUCLEUS PROSTHESIS, THE	§	Examiner: REIMERS, Annette R.
INSERTION DEVICE THEREFOR	§	
AND THE METHOD OF FITTING SAME	§	Art Unit: 3732
	§	
Applicant: FORTIN, Frederic et al	§	Atty docket No: PUS-H002-002

INFORMATION DISCLOSURE STATEMENT

To: U.S. Patent and Trademark Office
Customer Service Window
Commissioner for Patents
Randolph Building, 401 Dulany Street
Alexandria, VA 22314
USA

Dear Sir:

Pursuant to the provisions of 37 C.F.R. §1.97, Applicant encloses the references set forth in the attached modified form PTO/SB/O8A. No inference should be made that the cited references are in fact material, are in fact prior art, are analogous art, or that no better art exists. The cited patents are listed in numerical order and not in any order based on their pertinence.

The undersigned states that:

[] each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or

[] no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any

individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

[✓] the Office is authorized to charge the deposit account No. 502621 of MOETTELI & ASSOCIES SARL for the amount of the fee under § 1.17 (p) for submission of an Information Disclosure Statement.

[✓] a copy of each foreign patent, each publication or that portion which caused it to be listed, is attached together with either

- (a) a concise explanation of the relevance, as it is presently understood by the individual designated in § 1.56(c) most knowledgeable about the content of the information, of each patent, publication, or other information listed that is not in the English language. The concise explanation may be either separate from applicant's specification or incorporated therein, or
- (b) a copy of the translation if a written English-language translation of a non-English-language document, or portion thereof, is within the possession, custody, or control of, or is readily available to any individual designated in § 1.56(c).

It is requested that the Examiner fully consider the cited references and that they be cited on the front of any patent issuing from this application.

Copies of the cited references are attached.

An early action on the merits is respectfully requested.

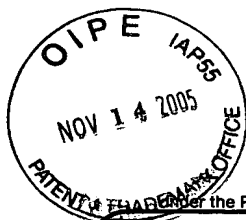
If the Examiner has further questions, he is invited to contact the undersigned at phone 011-4171 230 1000, fax at 011-4171 230 1001 or e-mail at moetteli@email.com.

Date: Nov 9, 2005

Respectfully submitted,


John MOETTELI
U.S. Reg. No. 35,289

Encl.: IDS form; copies of cited patents; return postcard



PTO/SB/08A (08-03)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	10/800,083
Filing Date	03/11/2004
First Named Inventor	FORTIN, Frederic
Art Unit	3732
Examiner Name	REIMERS, Annette R
Attorney Docket Number	PUS-H002-002

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 5,800,549 A	09/01/1998	Bao, Qi-Bin et al	entire doc
		US- 5,645,597 A	07/08/1997	Krapiva, Pavel I.	entire doc
		US- 5,972,015	10/26/1999	Scribner, R M et al	entire doc
		US- 5,047,055	09/10/1991	Bao, Qi-Bin et al	entire doc
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		EP 0 919 209 A1	06/02/1999	Bao et al	entire doc.	
		EP 0 100 127 A1	02/08/1984	Lefebvre, Emile	entire doc.	
		EP 0 621 020 A1	10/26/1994	Baumgartner, W	entire doc.	
		EP 1 132 031 A2	09/12/2001	Kendall et al	entire doc.	

Examiner
Signature

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.